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JUN 15 2004

PATENT  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<b>Applicant:</b> HENRY ET AL	<b>Examiner:</b> T. Tran Lien
<b>Serial No.:</b> 10/001,497	<b>Group Art Unit:</b> 1761
<b>Filed:</b> NOVEMBER 14, 2001	
<b>For:</b> FREEZER TO OVEN BISCUIT SWIRL	<b>Docket No.</b> PIL0123/US

Mail Stop Non-Fee Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING FACSIMILE  
TRANSMITTED TO THE UNITED STATES PATENT AND TRADEMARK  
OFFICE ON JUNE 15, 2004, TO 703-872-9306.

*Paula J. Breeden*  
PAULA J. BREEDEN

RESPONSE

Dear Sir or Madam:

This facsimile is responsive to the final Office Action mailed on March 19, 2004, in regards to the above-referenced patent application.

Applicants thank Examiner Tran for the telephonic Interview conducted May 4, 2004, between Examiner Tran and Applicants' attorneys Paul J. Parins and Dale A. Bjorkman regarding Applicants' pending claims. As requested by the Examiner, four pages (Title page, publication data page, and pages viii and 320) from McGee, Harold, "On Food and Cooking, The Science and Lore of the Kitchen," are concurrently faxed with this Response.

The three-month shortened statutory period for responding is set to expire on June 19, 2004. At the end of the Interview on May 4<sup>th</sup>, the Examiner indicated that the discussed Response should be faxed to 571-273-1408. Accordingly, this Response was faxed to this number on May 4, 2004, which is within two months of the mailing date of the outstanding final action. During a telephonic discussion on June 10, 2004, between Applicants' attorney, Dale A. Bjorkman, and Examiner Tran, the Examiner indicated that the May 4, 2004 Response could not be found and that it should be re-faxed to 571-273-1408. Accordingly, the Response was re-faxed to this number on June 10<sup>th</sup>. On June 14, 2004, Examiner Tran telephoned Applicants' attorney, Paul J. Parins, and indicated that

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the May 4, 2004 Response was not officially entered and that it should be faxed to 703-872-9306 so that it could be officially entered. Accordingly, this Response, which includes the text originally filed May 4, 2004, is being faxed as instructed by the Examiner.

In light of the events just described, it is respectfully requested that this Response be given expedited consideration, and that the undersigned be called to discuss the status of the application prior to the close of business on Monday, June 21, 2004, so that any action required by Applicants can be taken prior to expiration of the three-month shortened statutory period.

It is respectfully submitted that this Response is timely filed within the shortened statutory period. However, if any extension period is required in order for this paper to be timely filed, then Applicants hereby request an extension for such additional time period and authorize the appropriate fees therefore to be charged to the Kagan Binder Deposit Account No. 50-1775 and notify us of the same.

It is believed that no other fee is required in filing this Response. However, if any fee is required, please charge the appropriate fee to the Kagan Binder Deposit Account No. 50-1775 and notify us of the same.

1761

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Date: **June 15, 2004** No. of Pages (including cover sheet): **6**  
To: **Examiner Lien T. Tran**  
Company: **U.S. Patent and Trademark Office**  
Fax No.: **703-872-9306**

Message:

**RE: Patent Application having Serial No. 10/001,497**

If you do not receive all pages, or if you encounter any other difficulties, please call 651-275-9808.

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